

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**In re: STEVEN PAUL MINTURN, :** Case No. 10-63425  
**JODY ELAINE MINTURN, :** Chapter 13  
Debtors. : Judge John E. Hoffman, Jr.

**AMENDED MOTION OF DEBTORS**  
**STEVEN PAUL MINTURN AND JODY ELAINE MINTURN**  
**TO MODIFY 15 FEBRUARY 2011 ORDER**  
**CONFIRMING CHAPTER 13 PLAN**  
**(Document No. 22)**

Now come Debtors STEVEN PAUL MINTURN and JODY ELAINE MINTURN, by and through the undersigned counsel, and hereby respectfully request that this Honorable Court enter an order modifying the 15 February 2011 Order Confirming Chapter 13 Plan, pursuant to 11 U.S.C. Section 1329(a) and Fed.R.Bankr.P. 3015(g). A memorandum in support of this Motion is set forth below.

**MEMORANDUM IN SUPPORT**

In support of said Amended Motion, the Debtors respectfully request the following modification to the 15 February 2011 Order Confirming Chapter 13 Plan:

1. The future earnings of the Debtors are submitted to the supervision and control of the Trustee and the Debtors shall pay the Trustee the sum of \$1,550.00 per month for months one through twelve (1-12); \$1,650.00 per month for months thirteen through twenty-four (13-24); \$1,850.00 per month for months twenty-five through thirty-six (25-36); \$2,050.00 per month for months thirty-seven through forty-five (37-45) and \$2,450.00 per month for months forty-six through forty-eight (46-48); and, \$3,150.00 per month for months forty-nine through the duration of the plan of repayment (49-end);
2. That the dividend paid to the general unsecured creditors shall remain at one percent (1%);
3. That the Chapter 13 Plan was confirmed on 15 February 2011;
4. That the Debtors filed Amended Schedules I and J and Amended Business Income and Expenses on 18 August 2014 (Document No. 70);
5. That all other provisions of the Chapter 13 Plan shall remain in full force and effect; and,
6. That the Debtors submit that said proposed modification does not adversely affect the rights of creditors or other parties in interest in this case.

7.

Respectfully submitted,

/s/ Mark Albert Herder

Mark Albert Herder (0061503)

Attorney for the Debtors

MARK ALBERT HERDER, LLC

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Columbus, Ohio 43205

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**NOTICE OF AMENDED MOTION TO MODIFY**

**15 FEBRUARY 2011 ORDER CONFIRMING CHAPTER 13 PLAN**

DEBTORS STEVEN PAUL MINTURN and JODY ELAINE MINTURN have filed papers with the Court – an Amended Motion to Modify Debtors' 15 February 2011 Order Confirming Chapter 13 Plan.

**YOUR RIGHTS MAY BE AFFECTED.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the relief sought in the Amended Motion, then on or before twenty-one (21) days from the date set forth in the certificate of service for the Motion, you or your attorney must:

1. File with the Court a responsive memorandum explaining your position by mailing your response by regular U.S. Mail to Clerk, United States Bankruptcy Court, 170 North High Street, Columbus, Ohio 43215 OR your attorney must file a response using the court's ECF system;
2. The Court must **receive** your response on or before the date set forth above; and,
3. Send a copy of your responsive memorandum either by regular U.S. Mail or the court's ECF system to:

United States Trustee  
170 North High Street, Suite 200  
Columbus, Ohio 43215

Faye D. English, Chapter 13 Trustee  
10 West Broad Street, Suite 900  
Columbus, Ohio 43215

Mark Albert Herder, LLC  
1031 East Broad Street  
Columbus, Ohio 43205

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Amended Motion and may enter an order granting that requested relief.

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that a true and accurate copy of the preceding Amended Motion and Official Form 20A Notice was duly served this date on the following registered ECF participants, electronically through the Court's ECF system at the email address registered with the Court:

Asst. U.S. Trustee (Col) – via ECF

Faye D. English, Chapter 13 Trustee – via ECF

and on the following by **ordinary U.S. Mail** addressed to:

Steven Paul Minturn and Jody Elaine Minturn 2635 Township Road 20, Cardington, Ohio 43315

Dated: 02 September 2014

*/s/ Mark Albert Herder*  
Mark Albert Herder (0061503)  
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